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JFW

Docket No.: C010690/0112483

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Berend HOUWEN, *et al.* )  
 ) Examiner: Gailene Gabel  
Serial No.: 09/388,899 )  
 ) Art Unit: 1641  
Filed: September 2, 1999 )

For: **METHOD FOR CLASSIFYING AND COUNTING LEUKOCYTES**

November 5, 2004

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Office Action mailed August 5, 2005, which set a three-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before November 5, 2004. 37 C.F.R. §1.8.

No additional fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467.

**REMARKS**

The Examiner has rejected Claims 1-4, 7-15 and 18 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bowen et al. (Laboratory Hematology, 1997, hereafter "Bowen") in view of Gopinath et al. (Cytometry, 1997, hereafter "Gopinath"). Applicants respectfully traverse this rejection, and request reconsideration based both on Applicants previous arguments and in view of the following additional comments.